

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

Case No. 8:23-cv-02242-DOC-ADSx

Date: January 3, 2024

Title: CALVIN GULLEY V. JAMES RIVER INSURANCE COMPANY

---

PRESENT: THE HONORABLE DAVID O. CARTER, U.S. DISTRICT JUDGE

Karlen Dubon  
Courtroom Clerk

Not Present  
Court Reporter

ATTORNEYS PRESENT FOR  
PLAINTIFF:  
None Present

ATTORNEYS PRESENT FOR  
DEFENDANT:  
None Present

---

**PROCEEDINGS (IN CHAMBERS): ORDER TO SHOW CAUSE  
REGARDING AMOUNT IN  
CONTROVERSY**

The Court is in receipt of Defendant James River Insurance Company's ("Defendant") Notice of Removal ("Notice" or "Not.") (Dkt. 1). In the Notice, Defendant argues that this Court has diversity jurisdiction over this case because the parties are diverse and the amount in controversy exceeds \$75,000. Not. at 4. The only evidence that Defendant cites regarding the amount in controversy is a section of Plaintiff's complaint demanding \$444,198 in attorneys' fees. *Id.* This Court, however, does not include attorneys' fees in the amount in controversy calculation. Accordingly, Defendant has not met its burden to show that the amount in controversy exceeds \$75,000.

Defendant is hereby **ORDERED TO SHOW CAUSE** that the amount in controversy, exclusive of attorneys' fees, exceeds \$75,000 by **January 11, 2024**. Defendant's response shall not exceed 6 pages. Failure to respond to this Order may result in the Court remanding this case to state court.

Further, the Court sets a **scheduling conference in this matter on January 29, 2024, at 8:30 a.m.**

The Clerk shall serve this minute order on the parties.

Initials of Deputy Clerk: kdu